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September 2, 2021

REQUEST TO BE FILED UNDER SEAL

Honorable P. Kevin Castel
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007

**Re: *United States v. Virgil Griffith*
20 Cr. 15 (PKC)**

Dear Judge Castel:

We write respectfully on behalf of defendant Virgil Griffith to request the Court's permission to transfer certain of Mr. Griffith's cryptocurrency assets to counsel in order to pay legal fees in connection with this case and upcoming trial. We have attached a proposed order, which we respectfully ask the Court to enter.

As the Court knows, Mr. Griffith holds an account at the U.S.-based exchange Coinbase.¹ We understand from records produced by the government that the account contains approximately [REDACTED] (although this value likely substantially fluctuates due to the volatility of the cryptocurrency assets in it). Based on the last hearing, the defense understands there is no seizure warrant or other legal process that has been placed on the account. It is the defense's understanding, however, that Coinbase froze the account at or near the time of Mr. Griffith's

¹ The account records consist of two different Excel spreadsheets (apparently exported into Excel from whatever the native format was, so they are somewhat difficult to follow). There is no account number listed, but there are two user identification numbers, [REDACTED] and [REDACTED]. Both spreadsheets reference Mr. Griffith's date of birth. It is hard to tell whether Coinbase considers that one or two accounts. For purposes of this letter motion, we have referred to it as an account (using the singular) but, to be clear, this motion seeks liquidation of all Mr. Griffith's assets at Coinbase, in any account and in any form.



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arrest and it has remained frozen since that time. Coinbase has indicated to defense counsel a preference for closing the account.

Mr. Griffith respectfully requests that the Court enter the enclosed proposed order, attached as Exhibit A, permitting that the assets in the Coinbase account to be liquidated into United States dollars, and be wire-transferred to the attorney trust account of Waymaker LLP for the purpose of paying Mr. Griffith's legal fees and expenses associated with this case. As indicated on the proposed order, should any assets remain at the conclusion of the case, defense counsel will confer with the government and inform the Court, but would not return any to Mr. Griffith without further clearance from the Court.

We have conferred with the prosecutors, who object to the relief requested.

Because this letter and its attachments contain personal identifying information and make reference to Mr. Griffith's personal assets and unique identification numbers at Coinbase, we respectfully request that the Court receive this motion under seal. If the Court enters the proposed order, a complete copy of the proposed order would be provided to Coinbase, with an indication that the filing was made under seal.

As always, defense counsel is available to answer any questions the Court may have.

Respectfully submitted,

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-and-

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Attorneys for Virgil Griffith